IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP NO. 14678 of 2006

DATE OF DECISION: 14.09.2006

Smt.Harnand Jaiswal ....Petitioner

Versus

State of Punjab and others ....Respondents.

CORAM: HON'BLE MR.JUSTICE J.S. KHEHAR
HON'BLE MR. JUSTICE S.D. ANAND

PRESENT: Mr. B.S. Sehra, Advocate for
for the petitioner.

J.S. Khehar, J. (oral)

Learned counsel for the petitioner states that the petitioner was granted the benefit of one increment on completion of 24 years of service under the assured career progression scheme. Despite the fact that the petitioner has been granted the aforesaid benefit, and also has been released the monetary benefits emerging therefrom, the same has not been reflected in the determination of the petitioner's claim for pension. It is, therefore, that the petitioner is stated to have sent a representation dated 18.3.2006 (Annexure P2) followed by a legal notice dated 11.5.2006 (Annexure P3), wherein she sought revision of her pension on the basis of the increment referred to above. It is, however, pointed out that the respondent shave not taken any decision on either of the aforesaid. Learned counsel for the petitioner states that the petitioner will be satisfied if the instant writ petition is disposed of with a direction to respondent No.3 i.e. the Director Primary Instructions (P), Punjab, requiring him to take a final decision on the legal notice dated 11.5.2006 (Annexure P3).

Notice of motion.

On our asking, Mr. Ashok Aggarwal, Additional Advocate

General, Punjab, accepts notice on behalf of respondents No.1 to 5. Learned counsel for the respondents states that he has no objection to the disposal of the instant writ petition in terms of the prayer made by the learned counsel for the petitioner.

In view of the above, without going into the merits of the claim raised by the petitioner, we consider it just and appropriate to dispose of the instant writ petition by directing respondent No.3 i.e. the Director Public Instructions (P), Punjab, to take a final decision on the legal notice dated 11.5.2006 (Annexure P3), by passing a well reasoned speaking order within three months from the date of receipt of a certified copy of this order. In case the petitioner is found entitled to any monetary benefits, the same shall be calculated and released to him within a further period of one month. It is, however, clarified that the claim of the petitioner for arrears shall be limited to a period of three years and two months from the date of filing of the instant writ petition. It is also clarified that the instant writ petition was filed on 13.9.2006

Disposed of accordingly.

Order dasti, on payment of usual charges.

(J.S. Khehar)
Judge

(S.D. Anand)
Judge

September 14, 2006.
vig